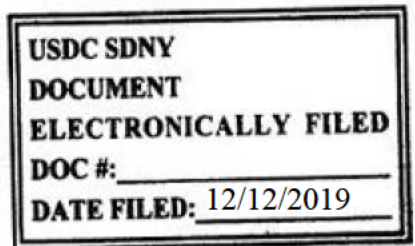




U.S. Department of

United States Attorney
Southern District of

86 Chambers Street
New York, New York 10007



December 3, 2019

VIA ECF

The Honorable Analisa Torres
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *United States v. Doonan et al.*, 19 Civ. 9578 (AT)

Dear Judge Torres:

This Office represents the United States of America (the “Government”) in the above-referenced case. In this action, the Government seeks an injunction that, among other things, bars defendants William Doonan (“Doonan”) and William Doonan and Associates, Inc. (“WDA”), from preparing or filing federal tax returns for others. We write to request an adjournment of the initial pretrial conference and in response to this Court’s Order instructing the parties to discuss consenting to a magistrate judge for all further proceedings, *see* Dkt. No. 4.

A. Adjournment Request

We respectfully request an adjournment of the initial pretrial conference, currently scheduled for December 16, 2019, at 11:40 AM, *see* Dkt. No. 3, to a date on or after December 23, 2019. We correspondingly respectfully request an extension of the time for the parties to submit a joint letter and proposed Case Management Plan and Scheduling Order to one week before the rescheduled hearing. We make these requests because Doonan has informed the undersigned that he intends to proceed *pro se* in this action and will be filing a response to the Government’s complaint later this week.¹ The Government would like to evaluate Doonan’s response before determining how it intends to proceed in this case. This is the Government’s first request for an adjournment or extension. Doonan consents to this request.

Counsel for the Government is available on the following dates for an initial pretrial conference: December 23-24, 2019, January 2-10, 2020.

¹ As I have informed Doonan, it is the Government’s position that he cannot appear *pro se* on behalf of WDA, a corporate entity, in this action. *See United States v. Twenty Miljam-350 IED Jammers*, 669 F.3d 78, 91 (2d Cir. 2011) (“[A] corporation is not allowed to appear in federal court except by a licensed attorney”). Although a licensed attorney, Murray Richman, Esq., waived service of the complaint on behalf of WDA, *see* Dkt. No. 5, Mr. Richman has informed the Government that he will not further represent Doonan or WDA in this case.

B. Response to Court's Order Regarding Consent to Magistrate Judge

We also inform the Court that counsel for the Government and Doonan have discussed whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. At least one party does not consent.

Thank you for your consideration of this matter.

Respectfully,

GEOFFREY S. BERMAN
United States Attorney

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cc: *Pro se* Plaintiff (via U.S. mail and email)

GRANTED. The initial pretrial conference scheduled for December 16, 2019 is ADJOURNED to **January 6, 2020**, at **12:20 p.m.** By **December 30, 2019**, the parties shall submit their joint letter and proposed case management plan.

SO ORDERED.

Dated: December 12, 2019
New York, New York



ANALISA TORRES
United States District Judge